

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under
37 C.F.R. 1.53(b))

Attorney Docket No.

0725.1059-001

First Named Inventor or
Application Identifier

David M. Knipe

Express Mail Label No.

EL 930598879 US

Title of
Invention

Replication-Competent Virus Expressing a Detectable Fusion Protein

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Assistant Commissioner for Patents
Box Patent Application
Washington, D.C. 20231

1. ☐ Fee Transmittal Form
(Submit an original, and a duplicate for fee processing)
2. ☒ Specification Total Pages 24
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross References to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
3. ☒ Drawing(s) (35 U.S.C. 113) Total Sheets [12]

☐ Fig. of the Drawings for Publication
☐ [X] No Figure to be Published
4. ☒ Oath or Declaration/POA Total Pages [3]
 - a. ☐ Newly executed (original or copy)
 - b. ☒ Copy from a prior application (37 C.F.R. 1.63(d))
(for continuation/divisional with Box 17 completed)
 - i. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)

6. ☒ Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
 - a. ☐ Computer Readable Form
 - b. ☒ Paper Copy identical to computer copy in parent case
[12] Pages Serial #09/127,227
 - c. ☒ Statements verifying identity of above copies
Request Under 37 C.F.R. 1.821(e)

ACCOMPANYING APPLICATION PARTS

7. ☐ Assignment Papers (cover sheet & documents)

☒ Assignee - President and Fellows of Harvard College
Cambridge, Massachusetts
8. ☐ Power of Attorney ☐ 37 C.F.R. 3.73(b) Statement
9. ☐ English Translation Document (if applicable)
10. ☒ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
11. ☐ Preliminary Amendment
12. ☒ Return Receipt Postcard
13. ☐ Small Entity Statement(s)
- 14a. ☐ Foreign Priority Claim under 35 U.S.C. §119 or 365
- 14b. ☐ Certified Copy of Priority Document(s)
15. ☐ Nonpublication Request (check parent application)
16. ☒ Other Remarks

17. If a **CONTINUING APPLICATION**, check appropriate box; supply the requisite information.

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 09/127,227

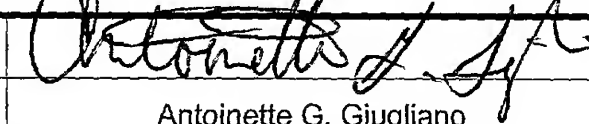
Prior application information: Examiner: M. Mosher

Group Art Unit: 1648

The entire disclosure of the prior application is considered a part of the disclosure of the accompanying application and is hereby incorporated by reference.
(Add standard Related Applications section with incorporation by reference to specification or update same)

18. CORRESPONDENCE ADDRESS

NAME	Customer No. 021005				
	HAMILTON, BROOK, SMITH & REYNOLDS, P.C.				
ADDRESS	530 Virginia Road, P.O. Box 9133				
CITY	Concord	STATE	MA	ZIP CODE	01742-9133
COUNTRY	USA	TELEPHONE	(978) 341-0036	FAX	(978) 341-0136

Signature		Date	11/15/02
Submitted by Typed or Printed Name	Antoinette G. Giugliano	Reg. Number	42,582

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: David M. Knipe, Travis J. Taylor, Elizabeth E. McNamee

Continuation Application of

Application No.: 09/127,227

Filed: July 31, 1998

For: Replication-Competent Virus Expressing A Detectable Fusion Protein

Date: 01/16/02

EXPRESS MAIL LABEL NO. EL930598879US

REMARKS/CHANGE OF CORRESPONDENCE ADDRESS

Box PATENT APPLICATION

Assistant Commissioner for Patents

Washington, D.C. 20231

Sir:

The above-captioned application is a continuation of application number 09/127,227 filed on July 31, 1998 to which priority is claimed under 35 U.S.C. §120.

A related applications paragraph has been added as the first paragraph in the specification.

The specification has been revised to incorporate amendments entered in the parent application. The specification has also been amended to correct any typographical errors.

In accordance with the formal drawings, references to Figures 6A-6E in the Specification have been changed to Figures 6A-6C; references to Figures 7A-7B in the Specification have been changed to 7A-7D.

Claims 6, 8, 20, 23, 25, 26 and 27, as originally filed parent case application No. 09/127,227, have been omitted and remaining Claims 1-5, 7, 9-19, 21-22, 24, 28-40 have been renumbered sequentially beginning with Claim 1. Claim 19 has been revised to exclude the

subject matter that has been allowed in the parent case application No. 09/127,227. No new matter has been added.

Pursuant to 37 C.F.R. 1.63(d)(4), please note that a Notice of Change of Correspondence Address was submitted in parent Application No. 09/127,227. Please send all correspondence in the above-identified continuation application to: Customer No. 021005; Hamilton, Brook, Smith & Reynolds, P.C., 530 Virginia Road, P.O. Box 9133, Concord, Massachusetts 01742-9133. In addition, please direct all telephone calls to Carolyn S. Elmore or the undersigned at (978) 341-0036, and all facsimile communications to (978) 341-0136.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Antoinette G. Giugliano
Antoinette G. Giugliano

Registration No. 42,582

Telephone: (978) 341-0036

Facsimile: (978) 341-0136

Concord, MA 01742-9133

Dated: 1/15/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: David M. Knipe, Travis J. Taylor, Elizabeth E. McNamee

Continuation Application of

Application No.: 09/127,227

Filed: July 31, 1998

For: Replication-Competent Virus Expressing A Detectable Fusion Protein



Date: <u>01/16/02</u>	Express Mail Label No. <u>FL93059887945</u>
-----------------------	---

REQUEST UNDER 37 C.F.R. §1.821(e)

Assistant Commissioner for Patents
BOX PATENT APPLICATION
Washington, DC 20231

Sir:

Pursuant to 37 C.F.R. §1.821(e), it is hereby requested that the computer readable form of the Sequence Listing filed on January 4, 1999 in prior Application No. 09/127,227, filed July 31, 1998, serve as the computer readable form for the subject application.

As required by 37 C.F.R. §1.821(f), the undersigned hereby states that the content of the Sequence Listing in paper form filed concurrently herewith and the content of the above-referenced computer readable form of the Sequence Listing filed in prior Application No. 09/127,227 are the same.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Antoinette G. Giugliano
Antoinette G. Giugliano

Registration No. 42,582

Telephone: (978) 341-0036

Facsimile: (978) 341-0136

Concord, MA 01742-9133

Date: 1/15/02